

Applicant : James E. Jaussi et al.
Serial No. : 10/626,491
Filed : July 24, 2003
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Attorney's Docket No.: 10559-554002 / P12574C

AMENDMENTS TO THE DRAWINGS

The attached replacement sheets (6 pages) of drawings include changes to Figs. 1-5 and replace the originally-filed set of 6 pages.

In Figs. 1-5, the Applicants have added labels to identify V_{out+} and V_{out-} .

In Fig. 2, the Applicants have shown the configuration described in the specification by swapping the inputs labeled V_{N-1+} and V_{N-1-} .

Applicants request that the Examiner approve and enter the attached drawings (Figs. 1-6) as formal drawings.

Attachments following the last page of this Amendment:

Replacement Sheets (6 pages)

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REMARKS

In the non-final Office Action mailed October 19, 2004, the Examiner rejected claims 1-18, and objected to the claims, drawings, specification, and the declaration. The Examiner also indicated that claims 5-10, 12 and 14-28 contain allowable subject matter. In response, Applicants amend the specification, amend the drawings, amend claims 14, 16-25 and 28, cancel claim 1-13 without prejudice or disclaimer, and add new claims 29-42. As such, claims 14-42 are pending.

The amendments made herein correspond to the amendments which were found to place the parent application in condition for allowance. Applicants note that the basic difference between the claims presented herein and the claims issued as U.S. patent 6,624,668 is that the terms "first signal" and "second signal" have been substituted for the phrases "inverted input" and "non-inverted input," similar substitutions being made in each of the independent claims. Applicants respectfully submit that the claims are in condition for allowance, and request that the Examiner consider all pending claims in view of the amendments and the arguments below.

Oath/Declaration

When Applicants filed this continuation application, Applicants included a copy of the originally executed declaration from the parent application. The Examiner indicated that this declaration was defective. Applicants respectfully disagree. Under 37 C.F.R. 1.63(d)(1), a newly executed oath or declaration is not required when filing a continuation application. Applicants respectfully request that the Examiner reconsider the declaration, and make a finding on the record that the declaration has been accepted. Applicants invite the Examiner to contact the undersigned if any questions remain regarding the declaration.

Drawings

As detailed above, Applicants have amended the drawings to address the Examiner's objections. Applicants respectfully request that the Examiner approve and enter the attached replacement sheets as formal drawings.

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Specification

As detailed above, Applicants have amended the specification in accordance with the Examiner's suggestions and in accord with amendments that were previously entered in the parent application. Applicants believe that these amendments address all of the Examiner's objections. No new matter has been introduced by these amendments. Accordingly, Applicants respectfully request that the Examiner remove the objections to the specification.

Claim Objections

As detailed above, Applicants have amended the claims in accordance with the Examiner's suggestions and in accord with amendments that were previously entered in the parent application. Applicants have canceled claims 1-13 without prejudice or disclaimer. In addition, Applicants have amended claim 14 by substituting the terms "first signals" and "second signals" for the terms "inverted inputs" and "non-inverted inputs," and have amended claim 25 by substituting the terms "first voltages" and "second voltages" for the terms "inverted inputs" and "non-inverted inputs." Applicants have made various amendments to the claims to correct informalities (grammar) or to improve clarity.

Applicants believe that these amendments address all of the Examiner's objections. No new matter has been introduced by these amendments. Applicants respectfully submit that these claims are in form for allowance, and request that the Examiner remove the objections from the claims.

Claim Rejections – 35 U.S.C. §112 (second paragraph)

As detailed above, Applicants have amended the claims to address the Examiner's rejections. Applicants believe that these amendments address all of the Examiner's rejections. No new matter has been introduced by these amendments. Applicants respectfully submit that these claims are in form for allowance, and request that the Examiner remove the objections to the claims.

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Double Patenting

The Examiner rejected the claims under the judicially created doctrine of obviousness-type double patenting over the parent application, which has issued as U.S. Patent 6,624,688. Applicants are submitting herewith a terminal disclaimer that references U.S. Patent 6,624,688. Applicants respectfully request that the Examiner remove the double patenting rejection.

Claim Rejections – 35 U.S.C. § 102(b)

On page 9 of the Office Action, the Examiner rejected claims 1-4, 11 and 13 under 35 U.S.C. § 102(b). This rejection is now moot because Applicants have canceled claims 1-13.

Allowable Subject Matter

The Examiner indicated that claims 14-28 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112 (second paragraph), and to include all of the limitations of the base claim and any intervening claims, where applicable. In view of the above amendments, Applicants submit that the Examiner's basis for rejecting claims 14-28 under 35 U.S.C. 112 (second paragraph) have been overcome.

Accordingly, amended independent claims 14 and 25 are allowable in accordance with what the Examiner has already indicated to be allowable. As such, claims 15-24 and 26-28 (as amended), which depend either directly or indirectly from claims 14 and 25, are also allowable. Applicants respectfully request that the Examiner allow claims 14-28 (as amended).

New Claims (Claims 29-42)

Applicants have added new claims 29-42. Applicants respectfully submit that these claims contain allowable subject matter for reasons similar to those discussed by the Examiner on pages 10-11 of the Office Action. Moreover, these claims introduce no new matter. For example, new independent claims 29 finds support, for example, in Figure 1, originally filed claim 5, and in the specification at page 5, line 5 to page 7, line 8. As another example, new claim 33 finds support, for example, in Figure 2, originally filed claim 6, and in the specification at page 7, line 9 to page 11, line 10. Moreover, the specification, figures, and originally filed claims also provide support in addition to the foregoing examples.

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Conclusions

Applicants respectfully request that the Examiner accept the replacement drawings and issue a Notice of Allowance in this case for all pending claims.

Applicants hereby specifically reserve the right to prosecute claims of different or broader scope in a continuation or divisional application. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicants' position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on the foregoing amendments.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 22 Feb. 2005

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